

**Updates were made to the PAR MLS Rules & Regulations February 2021  
Below is a summary that includes all updates/changes**

**Text in red are mandatory additions from the National Association of REALTORS®**

**TYPES OF PROPERTIES:**

The following are some of the types of properties that may be published through the Service:

- |                          |                      |                  |
|--------------------------|----------------------|------------------|
| 1. Residential           | 7. Mobile Homes      | 13. Manufactured |
| 2. Residential Income    | 8. Mobile Home Parks | 14. Modular      |
| 3. Subdivided Vacant Lot | 9. Commercial Income |                  |
| 4. Land and Ranch        | 10. Industrial       |                  |
| 5. Business Opportunity  | 11. Investment       |                  |
| 6. Motel-Hotel           | 12. Office Space     |                  |

**SECTION 1.1 LISTINGS SUBJECT TO RULES AND REGULATIONS OF THE SERVICE:**

Any listing taken on a contract to be filed with the Pensacola Multiple Listing Service is subject to the Rules and Regulations of the Service upon the signature of the seller(s).

**SECTION 1.2 DETAIL ON LISTINGS FILED WITH THE SERVICE:**

A Listing Agreement or Property Data Form, when filed with the Pensacola Multiple Listing Service by the listing broker, shall be complete in every detail, which is ascertainable as specified on the Property Data Form, excluding listings in a coming soon status.

**SECTION 1.2.0 ACCURACY OF LISTING DATA:**

**Participants and subscribers are required to submit accurate listing data and required to correct any known errors.**

**SECTION 1.2.1 PHOTOS AND MEDIA**

Once a listing is entered into the Pensacola Association of REALTORS Multiple Listing Service, excluding listings in a coming soon status, the listing agent is responsible for uploading at least one (1) photo accurately depicting the property within ten (10) business days of the date the listing was entered into the system. The photo may be in the form of a plat map, floor plan or site elevation.

Photos and/or media (virtual tour, URL or other types of media) must not have marketing or promotional messages made on behalf of the listing broker or seller. This includes but it is not limited to: listing agent/broker name, phone number, website or email address. Photos and/or media should not infringe or violate any copyrights, trade secrets or other intellectual or proprietary right of any third party.

If the seller expressly directs that photographs of their property not appear in the Multiple Listing Service then the listing agent must obtain those instructions in writing and they must be signed by the seller. A copy of those instructions must be forwarded to the MLS department within ten (10) business days from the date entered into the system.

### **SECTION 1.2.1a VIRTUAL STAGING**

Virtual Staging Definition: Using photo editing software to create a photo(s) or conceptual rendering(s) of what the Interior room(s) and/or Interior of the property could look like if it was staged or lived in. Virtual Staging shall only be used for the Interior of an existing structure or exterior limited to personal property. Disclosure of virtually staged image(s):

### **SECTION 7. COMPLIANCE WITH RULES – AUTHORITY TO IMPOSE DISCIPLINE:**

By becoming and remaining a participant or subscriber in this MLS, each participant and subscriber agrees to be subject to the rules and regulations and any other MLS governance provision. Each participant is subject to these rules with regard to licensees affiliated with the participant who are subject to fee waiver under Section 6.2. The MLS may, through the administrative and hearing procedures established in these rules, impose discipline for violations of the rules and other MLS governance provisions. Discipline that may be imposed may only consist of one or more of the following:

- a. Letter of warning
- b. Letter of reprimand
- c. Attendance at MLS orientation or other appropriate courses or seminar which the participant or subscriber can reasonably attend taking into consideration cost, location, and duration.
- d. Retroactive fees related to any licensee granted a fee waiver under Section 6.2 in the event the MLS determines that the licensee made any use of MLS services prohibited in Section 6.2 during the period of waiver.
- e. Appropriate, reasonable fine not to exceed \$15,000
- f. Suspension of MLS rights, privileges, and services for not less than thirty (30) days nor more than one (1) year.
- g. Termination of MLS rights, privileges, and services with no right to reapply for a specified period not to exceed three (3) years.

**NOTE 1:** A participant (or user/subscriber, where appropriate) can be placed on probation. Probation is not a form of discipline. When a participant (or user/subscriber, where appropriate) is placed on probation the discipline is held in abeyance for a stipulated period of time not longer than (1) year. Any subsequent finding of a violation of the MLS rules during the probationary period may, at the discretion of the Board of Directors, result in the imposition of the suspended discipline. Absent any subsequent findings of a violation during the probationary period, both the probationary status and the suspended discipline are considered fulfilled, and the individual's record will reflect the fulfillment. The fact that one or more forms of discipline are held in abeyance during the probationary period does not bar imposition of other forms of discipline which will not be held in abeyance.

**NOTE 2:** MLS Participants and subscribers can receive no more than three (3) administrative sanctions in a calendar year before they are required to attend a hearing for their actions and potential violations of MLS rules, except that the MLS may allow more administrative sanctions for violations of listings information provided by participants and

subscribers before requiring a hearing. The MLS must send a copy of all administrative sanctions against a subscriber to the subscriber's participant and the participant is required to attend the hearing of a subscriber who has received more than three (3) administrative sanctions within a calendar year. *(Adopted 11/20)*

## **ENFORCEMENT OF RULES OR DISPUTES:**

### **SECTION 9. CONSIDERATION OF ALLEGED VIOLATIONS:**

The Committee shall give consideration to all written complaints having to do with violations of the Rules and Regulations. By becoming and remaining a participant, each participant agrees to be subject to these rules and regulations, the enforcement of which are at the sole discretion of the Committee (Board of Directors) (Amended 5/18)

When requested by a complainant, the MLS will process a complaint without revealing the complainant's identity. If a complaint is subsequently forwarded to a hearing, and the original complainant does not consent to participating in the process, the MLS will appoint a representative to serve as the complainant. *(Amended 11/20)*

### **SECTION 9.1 VIOLATIONS OF RULES AND REGULATIONS:**

If the alleged offense is a violation of the Rules and Regulations of the Service and does not involve a charge of alleged violation of one or more of the provisions of Section 16 of the rules and regulations or a request for arbitration, it may be administratively considered and determined by the MLS Committee, and if a violation is determined, the MLS Committee may direct the imposition of sanction provided that the recipient of such sanction may request a hearing by the Professional Standards Committee of the Association in accordance with the Bylaws of the Pensacola Association of Realtors.

If, rather than conducting an administrative review, the Multiple Listing Committee has a procedure established to conduct hearings, the decision of the tribunal may be appealed to the Board of Directors of the Association of Realtors within twenty (20) days of the tribunal's decision being rendered. Alleged violations involving unethical conduct shall be referred to the Association's Grievance Committee for processing in accordance with the professional standards procedures of the Association. If the charge alleges a refusal to arbitrate, such charge shall be referred directly to the Board of Directors of the Association of REALTORS.